

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 05-cv-11619

David L. Fish, Jr.

v.

Marine Biological Laboratory

CLERK'S CERTIFICATE

I, Sarah A Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 12/1/05.

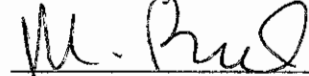
In testimony whereof, I hereunto set my hand and affix the seal of this Court on December 21, 2005.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 12/21/05.



Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-11619-RGS**

Fish v. Marine Biological Laboratory
Assigned to: Judge Richard G. Stearns
Cause: 29:206 Collect Unpaid Wages

Date Filed: 08/04/2005
Jury Demand: None
Nature of Suit: 790 Labor: Other
Jurisdiction: Federal Question

Plaintiff

David L. Fish, Jr.

represented by **David L. Fish, Jr.**
63 Harriett Road
East Falmouth, MA 02536
PRO SE


V.

Defendant

Marine Biological Laboratory

represented by **Jonathan D. Rosenfeld**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/04/2005	 1	NOTICE OF REMOVAL by Marine Biological Laboratory from Barnstable County Superior Court, case number 05-00382. \$ 250, receipt

		number 66005, filed by Marine Biological Laboratory. (Attachments: # 1 # 2)(Flaherty, Elaine) (Entered: 08/09/2005)
08/04/2005	●	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Sorokin. (Flaherty, Elaine) (Entered: 08/09/2005)
08/04/2005	2	CORPORATE DISCLOSURE STATEMENT by David L. Fish, Jr. (Flaherty, Elaine) (Entered: 08/09/2005)
08/09/2005	3	ANSWER to Complaint by Marine Biological Laboratory, filed. (Attachments: # 1)(Flaherty, Elaine) (Entered: 08/15/2005)
08/18/2005	4	NOTICE of Scheduling Conference: Scheduling Conference set for 9/22/2005 04:00 PM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 08/18/2005)
08/30/2005	5	MOTION for Judgment on the Pleadings by Marine Biological Laboratory.(Flaherty, Elaine) (Entered: 09/01/2005)
08/30/2005	6	MEMORANDUM in Support re 5 MOTION for Judgment on the Pleadings filed by Marine Biological Laboratory. (Flaherty, Elaine) (Entered: 09/01/2005)
09/16/2005	7	JOINT STATEMENT re scheduling conference. (Clinton, Julie) (Entered: 09/16/2005)
09/16/2005	8	CERTIFICATION pursuant to Local Rule 16.1 by Marine Biological Laboratory.(Clinton, Julie) (Entered: 09/16/2005)
09/22/2005	●	ElectronicClerk's Notes for proceedings held before Judge Richard G. Stearns : Scheduling Conference held on 9/22/2005. Mr. Fish, pro se, was present. Atty. Rosenfeld present for deft. Deft. has filed a Motion for Judgment on the Pleadings and the Court allows plaintiff 30 days to respond. A hearing will then be scheduled by the Court. (Court Reporter none.) (Johnson, Mary) Modified on 9/27/2005 (Johnson, Mary). (Entered: 09/27/2005)
09/22/2005	9	CERTIFICATION pursuant to Local Rule 16.1 by David L. Fish, Jr. (Flaherty, Elaine) (Entered: 09/29/2005)
10/21/2005	10	MEMORANDUM in Opposition re 5 MOTION for Judgment on the Pleadings filed by David L. Fish, Jr. (Flaherty, Elaine) (Entered: 10/25/2005)
11/03/2005	11	REPLY to Response to Motion re 5 MOTION for Judgment on the Pleadings filed by Marine Biological Laboratory. (Clinton, Julie) (Entered: 11/03/2005)
11/03/2005	12	Judge Richard G. Stearns : ORDER entered granting 5 Motion for Judgment on the Pleadings (Flaherty, Elaine) (Entered: 11/03/2005)
11/07/2005	13	Judge Richard G. Stearns : ORDER entered. JUDGMENT in favor of defendant against plaintiff.(Johnson, Mary) Modified on 12/8/2005 (Johnson, Mary). (Entered: 11/07/2005)

12/01/2005	<u>14</u> NOTICE OF APPEAL as to <u>13</u> Judgment by David L. Fish, Jr. \$ 255 receipt number 68570 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 12/21/2005. (Flaherty, Elaine) (Entered: 12/07/2005)
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